

Surplus Asset Policy

Approved September 27, 2018

Purpose and Scope

The intent of this policy is to authorize and establish clear processes and procedures for the disposal of Madison County's surplus assets. This policy shall apply to all assets under the authority of the Madison County Board of Supervisors. Such assets includes those used by constitutional officers but not those for which use, management and disposal is the responsibility of the Madison County Social Services Board, the Madison County Parks and Recreation Authority or the Madison County School Board.

This policy shall not be construed as limiting the authority of the Madison County Board of Supervisors to directly donate or sell any County property to any specific individual or organization without an open sale procedure or its authority to authorize an alternate disposal procedure on a case-by-case basis.

This policy shall not affect the authority of the Purchasing Agent to exercise opportunities to trade in any item for a similar item.

Definitions

- A. "Department" means any organizational unit funded all or in part by Madison County including the department of social services, the school board, parks and recreation authority and constitutional officers.
- B. "Material" means personal property including, but not limited to, any tangible or intangible property, materials, supplies, equipment, and recyclable items and owned by Madison County. *Reference § 2.2-1124.*
- C. "Purchasing Agent" means the Madison County Administrator or his designee.
- D. "Property" means an interest in land and any improvements thereon, including the privileges and appurtenances of every kind belonging to the land, held by Madison County and under the control of any of its departments, agencies, or institutions. *Reference § 2.2-1147.*
- E. "Surplus" means anything no longer required, obsolete or no longer substantially functional, impractical or not cost effective to repair for use.

Responsibilities

The Board of Supervisors has the authority for and responsibility to direct the proper disposition of surplus items owned by Madison County.

County employees, through their supervisors, shall periodically notify the Purchasing Agent of all material and property under their oversight, management or control deemed to be surplus and shall provide information on surplus items and assist with the disposition of such surplus items (such as providing photographs and item descriptions) as requested.

The County Administrator shall review surplus items identified by employees. The County Administrator shall transfer a surplus material item to another department upon request if appropriate. No County material shall be sold, transferred or disposed of in any way unless approved by the County Administrator. The Board of Supervisors has the sole authority to approve the disposal of real property.

The Purchasing Agent shall be responsible for organizing the proper disposal of any surplus items not transferred to other County departments. Lists of recently transferred and disposed items shall be provided to the Board of Supervisors.

Procedures and Methods of Sale

In general, disposal of County property shall be via a public auction or sealed bid procedure open to the public. Auctions shall be in conformance with the procedure established in Chapter 12, Section 7.4 of the Virginia Department of General Services Agency Procurement And Surplus Property Manual.

Reference §2.2-1124& §15.2-951; at

http://townhall.virginia.gov/L/GetFile.cfm?File=C:%5CTownHall%5Cdocroot%5CGuidanceDocs%5C194%5CGDoc_DGS_4359_v1.pdf

The Purchasing Agent shall give appropriate public notice of the disposal sale, listing conditions for purchase and type of material available. Terms will normally include (a) all sales are final and (b) payment is to be by cash, money order, certified check, or cashier's check.

Notice of sale shall be published in a newspaper of general circulation at least five days prior to sale if the material is valued at over \$500. If the amount of the sale is estimated by the county purchasing agent to exceed \$5,000, sealed bids shall, unless otherwise approved by the Board of Supervisors on a case-by-case basis, be solicited by public notice published at least once in a newspaper of countywide circulation at least five calendar days before the final date of submitting bids. *Reference §15.2-1236B*

The Purchasing Agent may enter into a cooperative arrangement with another public body (such as the Madison County School Board) to dispose of surplus items. If the other public body administers the process, the rules of that body may be followed for the sale of County property. Further, the purchasing agent may utilize appropriate and bona fide in-person or online auction services to manage a disposal process.

The Madison County Board of Supervisors has reserved the authority to authorize the sale of law enforcement animals to retired law enforcement offices as permitted by the Code of Virginia. *Reference §2.2-1124B8*

The Madison County Sheriff shall be responsible for the proper disposal of County-owned firearms. *Reference §59.1-148.3.*

No real property shall be disposed of until the Madison County Board of Supervisors has held a public hearing concerning such disposal. *Reference §15.2-1800B*

Disposition of Proceeds

The Purchasing Agent shall supervise the sale of all property and material, turn the proceeds over to the Madison County Treasurer, and report the sale to the Board of Supervisors. Proceeds shall not be expended unless they have been appropriated by the Madison County Board of Supervisors.

Conflict of Interest

County employees, members of the Board of Supervisors and their immediate families are not eligible to purchase any item through a County surplus sale procedure.